

Web site to depict such nationwide data by including those maps created by grant recipients where appropriate. Ideally, grant recipients for State-wide efforts will be found in all the States and much of the rudimentary data to begin creating a truly robust national map can be developed at the state level and simply uploaded or linked to the Web site map or maps that NTIA creates.

In addition, a concomitant goal of this legislative effort from the beginning was to improve the quantity and quality of broadband data collected by and available to the Federal Communications Commission. When we began this effort, the FCC's available data was woefully inadequate with respect to broadband deployment, availability, speed, price and other metrics. Worse, the data collected was in a form that often misrepresented the reality of broadband deployment in the country. The FCC took action this year to improve the data it collects but it did not go far enough in my opinion. This legislation also does not go far enough and certainly is not as thorough and complete with respect to the collection and reporting of data as the House-passed bill. Yet it does represent additional progress. Obviously nothing in this bill is designed or should be construed to in any way limit the ability of the FCC to collect better and more accurate data, or to utilize such data internally, or to publicly report such data in a way that is conducive to wise policymaking or otherwise consistent with its precedents for making non-proprietary data public.

Again, this bill represents an important step in developing an overarching blueprint for broadband policy in the United States. As such, it is worthy of passage. Enacting this bill will also avail lawmakers of the opportunity to jump right into developing broader legislation early next year. By not having to re-pass this measure all over again, we will be able to more immediately pursue additional concrete broadband policy proposals legislatively, including those to promote greater broadband and voice competition, to rekindle the prospects for broadband innovation, affordability, and consumer choice, and to ensure that architectural openness and consumer privacy are hallmarks of our Nation's broadband policy.

The legislation also includes language on Internet child safety. This is language that is similar to provisions spearheaded by our House colleague Representative MELISSA BEAN and we are pleased that her multi-year efforts have resulted in the inclusion of this language in the bill.

I again want to thank Mr. BARTON, Chairman DINGELL, Mr. STEARNS, and Mr. UPTON for their cooperation in working on this bill. I again want to commend Senator INOUE and his staff, Jessica Rosenworcel, Margaret Cummysky, and Alex Hoehn-Saric, and the staff for the House Republican side, Neil Fried, David Cavicke, and Courtney Reinhard, and on the Democratic side I want to salute the excellent work of Amy Levine, Tim Powderly, Mark Seifert, and David Vogel. I urge members of the House to support the bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MARKEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill just passed by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## METHAMPHETAMINE PRODUCTION PREVENTION ACT OF 2007

Mr. MARKEY. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce and the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 1276) to establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of the Senate bill is as follows:

S. 1276

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Methamphetamine Production Prevention Act of 2007".

### SEC. 2. FINDINGS.

Congress finds that—

(1) the manufacture, distribution and use of methamphetamine have inflicted damages on individuals, families, communities, businesses, the economy, and the environment throughout the United States;

(2) methamphetamine is unique among illicit drugs in that the harms relating to methamphetamine stem not only from its distribution and use, but also from the manufacture of the drug by "cooks" in clandestine labs throughout the United States;

(3) Federal and State restrictions limiting the sale of legal drug products that contain methamphetamine precursors have reduced the number and size of domestic methamphetamine labs;

(4) domestic methamphetamine cooks have managed to circumvent restrictions on the sale of methamphetamine precursors by "smurfing", or purchasing impermissibly large cumulative amounts of precursor products by traveling from retailer to retailer and buying permissible quantities at each retailer;

(5) although Federal and State laws require retailers of methamphetamine precursor products to keep written or electronic logbooks recording sales of precursor products, retailers are not always required to transmit this logbook information to appropriate law enforcement and regulatory agencies, except upon request;

(6) when retailers' logbook information regarding sales of methamphetamine precursor products is kept in a database in an electronic format and transmitted between retailers and appropriate law enforcement and regulatory agencies, such information can be

used to further reduce the number of domestic methamphetamine labs by preventing the sale of methamphetamine precursors in excess of legal limits, and by identifying and prosecuting "smurfs" and others involved in methamphetamine manufacturing;

(7) States and local governments are already beginning to develop such electronic logbook database systems, but they are hindered by a lack of resources;

(8) efforts by States and local governments to develop such electronic logbook database systems may also be hindered by logbook recordkeeping requirements contained in section 310(e) of the Controlled Substances Act (21 U.S.C. 830(e)) that are tailored to written logbooks and not to electronic logbooks; and

(9) providing resources to States and localities and making technical corrections to the Combat Methamphetamine Epidemic Act of 2005 will allow more rapid and widespread development of such electronic logbook systems, thereby reducing the domestic manufacture of methamphetamine and its associated harms.

### SEC. 3. DEFINITIONS.

In this Act—

(1) the term "local" means a county, city, town, township, parish, village, or other general purpose political subdivision of a State;

(2) the term "methamphetamine precursor electronic logbook system" means a system by which a regulated seller electronically records and transmits to an electronic database accessible to appropriate law enforcement and regulatory agencies information regarding the sale of a scheduled listed chemical product that is required to be maintained under section 310(e) of the Controlled Substances Act (21 U.S.C. 830(e)) (as amended by this Act), State law governing the distribution of a scheduled listed chemical product, or any other Federal, State, or local law;

(3) the terms "regulated seller" and "scheduled listed chemical product" have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(4) the term "State"—

(A) means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(B) includes an "Indian tribe", as that term is defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

### SEC. 4. AUTHORIZATION FOR EFFECTIVE METHAMPHETAMINE PRECURSOR ELECTRONIC LOGBOOK SYSTEMS.

Section 310(e)(1) of the Controlled Substances Act (21 U.S.C. 830(e)(1)) is amended—

(1) in subparagraph (A)(iii), by striking "a written or electronic list" and inserting "a written list or an electronic list that complies with subparagraph (H)"; and

(2) adding at the end the following:

"(H) ELECTRONIC LOGBOOKS.—

"(i) IN GENERAL.—A logbook maintained in electronic form shall include, for each sale to which the requirement of subparagraph (A)(iii) applies, the name of any product sold, the quantity of that product sold, the name and address of each purchaser, the date and time of the sale, and any other information required by State or local law.

"(ii) SELLERS.—In complying with the requirements of clause (i), a regulated seller may—

"(I) ask a prospective purchaser for the name and address, and enter such information into the electronic logbook, and if the seller enters the name and address of the prospective purchaser into the electronic logbook, the seller shall determine that the

name entered into the electronic logbook corresponds to the name provided on the identification presented by the purchaser under subparagraph (A)(iv)(I)(aa); and

“(II) use a software program that automatically and accurately records the date and time of each sale.

“(iii) PURCHASERS.—A prospective purchaser in a sale to which the requirement of subparagraph (A)(iii) applies that is being documented in an electronic logbook shall provide a signature in at least one of the following ways:

“(I) Signing a device presented by the seller that captures signatures in an electronic format.

“(II) Signing a bound paper book.

“(III) Signing a printed document that corresponds to the electronically-captured logbook information for such purchaser.

“(iv) ELECTRONIC SIGNATURES.—

“(I) DEVICE.—Any device used under clause (iii)(I) shall—

“(aa) preserve each signature in a manner that clearly links that signature to the other electronically-captured logbook information relating to the prospective purchaser providing that signature; and

“(bb) display information that complies with subparagraph (A)(v).

“(II) DOCUMENT RETENTION.—A regulated seller that uses a device under clause (iii)(I) to capture signatures shall maintain each such signature for not less than 2 years after the date on which that signature is captured.

“(v) PAPER BOOKS.—

“(I) IN GENERAL.—Any bound paper book used under clause (iii)(II) shall—

“(aa) ensure that the signature of the prospective purchaser is adjacent to a unique identifier number or a printed sticker that clearly links that signature to the electronically-captured logbook information relating to that prospective purchaser; and

“(bb) display information that complies with subparagraph (A)(v).

“(II) DOCUMENT RETENTION.—A regulated seller that uses bound paper books under clause (iii)(II) shall maintain any entry in such books for not less than 2 years after the date on which that entry is made.

“(vi) PRINTED DOCUMENTS.—

“(I) IN GENERAL.—Any printed document used under clause (iii)(III) shall—

“(aa) be printed by the seller at the time of the sale that document relates to;

“(bb) display information that complies with subparagraph (A)(v);

“(cc) for the relevant sale, list the name of each product sold, the quantity sold, the name and address of the purchaser, and the date and time of the sale;

“(dd) contain a clearly identified signature line for a purchaser to sign; and

“(ee) include a notice that the signer has read the printed information and agrees that it is accurate.

“(II) DOCUMENT RETENTION.—

“(aa) IN GENERAL.—A regulated seller that uses printed documents under clause (iii)(III) shall maintain each such document for not less than 2 years after the date on which that document is signed.

“(bb) SECURE STORAGE.—Each signed document shall be inserted into a binder or other secure means of document storage immediately after the purchaser signs the document.”

#### SEC. 5. GRANTS FOR METHAMPHETAMINE PRECURSOR ELECTRONIC LOGBOOK SYSTEMS.

(a) ESTABLISHMENT.—The Attorney General of the United States, through the Office of Justice Programs of the Department of Justice, may make grants, in accordance with such regulations as the Attorney General may prescribe, to State and local governments to plan, develop, implement, or en-

hance methamphetamine precursor electronic logbook systems.

(b) USE OF FUNDS.—

(1) IN GENERAL.—A grant under this section may be used to enable a methamphetamine precursor electronic logbook system to—

(A) indicate to a regulated seller, upon the entry of information regarding a prospective purchaser into the methamphetamine precursor electronic logbook system, whether that prospective purchaser has been determined by appropriate law enforcement or regulatory agencies to be eligible, ineligible, or potentially ineligible to purchase a scheduled listed chemical product under Federal, State, or local law; and

(B) provide contact information for a prospective purchaser to use if the prospective purchaser wishes to question a determination by appropriate law enforcement or regulatory agencies that the prospective purchaser is ineligible or potentially ineligible to purchase a scheduled listed chemical product.

(2) ACCESS TO INFORMATION.—Any methamphetamine precursor electronic logbook system planned, developed, implemented, or enhanced with a grant under this section shall prohibit accessing, using, or sharing information entered into that system for any purpose other than to—

(A) ensure compliance with this Act, section 310(e) of the Controlled Substances Act (21 U.S.C. 830(e)) (as amended by this Act), State law governing the distribution of any scheduled listed chemical product, or other applicable Federal, State, or local law; or

(B) facilitate a product recall to protect public safety.

(c) GRANT REQUIREMENTS.—

(1) MAXIMUM AMOUNT.—The Attorney General shall not award a grant under this section in an amount that exceeds \$300,000.

(2) DURATION.—The period of a grant made under this section shall not exceed 3 years.

(3) MATCHING REQUIREMENT.—Not less than 25 percent of the cost of a project for which a grant is made under this section shall be provided by non-Federal sources.

(4) PREFERENCE FOR GRANTS.—In awarding grants under this section, the Attorney General shall give priority to any grant application involving a proposed or ongoing methamphetamine precursor electronic logbook system that is—

(A) statewide in scope;

(B) capable of real-time capture and transmission of logbook information to appropriate law enforcement and regulatory agencies;

(C) designed in a manner that will facilitate the exchange of logbook information between appropriate law enforcement and regulatory agencies across jurisdictional boundaries, including State boundaries; and

(D) developed and operated, to the extent feasible, in consultation and ongoing coordination with the Drug Enforcement Administration, the Office of Justice Programs, the Office of National Drug Control Policy, the non-profit corporation described in section 1105 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1701 note), other Federal, State, and local law enforcement and regulatory agencies, as appropriate, and regulated sellers.

(5) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than December 31 of each calendar year in which funds from a grant received under this section are expended, the Attorney General shall submit a report to Congress containing—

(i) a summary of the activities carried out with grant funds during that year;

(ii) an assessment of the effectiveness of the activities described in clause (i) on the planning, development, implementation or

enhancement of methamphetamine precursor electronic logbook systems;

(iii) an assessment of the effect of the activities described in clause (i) on curtailing the manufacturing of methamphetamine in the United States and the harms associated with such manufacturing; and

(iv) a strategic plan for the year following the year of that report.

(B) ADDITIONAL INFORMATION.—The Attorney General may require the recipient of a grant under this section to provide information relevant to preparing any report under subparagraph (A) in a report that grant recipient is required to submit to the Office of Justice Programs of the Department of Justice.

#### SEC. 6. STUDY.

(a) IN GENERAL.—Not later than 1 year after the date on which grant funds under section 5 are first distributed, the Comptroller General of the United States shall conduct a study and submit to Congress a report regarding the effectiveness of methamphetamine precursor electronic logbook systems that receive funding under that section.

(b) CONTENTS.—The report submitted under subsection (a) shall include—

(1) a summary of the activities carried out with grant funds during the previous year;

(2) an assessment of the effectiveness of the activities described in paragraph (1) on the planning, development, implementation or enhancement of methamphetamine precursor electronic logbook systems in the United States;

(3) an assessment of the extent to which proposed or operational methamphetamine precursor electronic logbook systems in the United States, including those that receive funding under section 5, are—

(A) statewide in scope;

(B) capable of real-time capture and transmission of logbook information to appropriate law enforcement and regulatory agencies;

(C) designed in a manner that will facilitate the exchange of logbook information between appropriate law enforcement and regulatory agencies across jurisdictional boundaries, including State boundaries; and

(D) developed and operated, to the extent feasible, upon consultation with and in ongoing coordination with the Drug Enforcement Administration, the Office of Justice Programs, the Office of National Drug Control Policy, the non-profit corporation described in section 1105 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1701 note), other Federal, State, and local law enforcement and regulatory agencies, as appropriate, and regulated sellers;

(4) an assessment of the effect of methamphetamine precursor electronic logbook systems, including those that receive funding under this Act, on curtailing the manufacturing of methamphetamine in the United States and reducing its associated harms;

(5) recommendations for further curtailing the domestic manufacturing of methamphetamine and reducing its associated harms; and

(6) such other information as the Comptroller General determines appropriate.

#### SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

(1) \$3,000,000 for fiscal year 2008; and

(2) such sums as may be necessary for each fiscal year thereafter.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.